

Table of Draft Changes to 20.03.04, Lake Protection Rules (6/23/09)

Section	Title	Description of New Rule or Amendment to Existing Rule
004	Incorporation by Reference	Plumbing and electrical standards need to be changed to conform with the codes used by the Idaho Division of Building Safety. This will allow better coordination between state agencies and local jurisdictions.
004.01	2008 National Electrical Code	Incorporated for electrical standards on float homes.
004.02	2003 Uniform Plumbing Code	Incorporated for plumbing standards on float homes.
010	Definitions	
010.12	Covered Slip	Clarified that eaves are allowed if they do not extend beyond the dock.
010.16	Encroachments Not in Aid of Navigation	Floating toys are deleted because they will be handled differently; see 010.18 and 015.14. Boat garages are added to be consistent with Land Board directives and the designation of float homes as encroachments not in aid of navigation.
010.18	Floating Toys	Definition is changed. Related to changes in 010.16 and 015.14.
010.25	Party	Definition changed to fix misspelling and to conform with IDAPA 20.01.01.005.13.
010.33	Riparian or Littoral Owner	Clarifies that riparian or littoral rights can be leased.
015	Encroachment Standards	
015.01	Single-Family and Two-Family Docks	
015.01c	Length of structures	Changes line of navigation to line of navigability, which is a defined term.
015.01d	Variance	Changes line of navigation to line of navigability, which is a defined term.
015.03	Commercial Marina	
015.03a	Public Use	Clarifies the amount of public use required, and what constitutes public use.
015.03b	Conversion to community dock	Clarifies requirement for conversion to a community dock.
015.03c	Vehicle parking	Public boat and float home moorage must provide one parking space per two moorages, but private boat and float home moorage must provide one parking space per moorage. The primacy of local parking requirements is reinforced.
015.03e	Minimum percentage of public use	This paragraph is deleted because it has been incorporated into 015.03a.
015.03e	Private Moorage	Clarifies what constitutes private moorage. This paragraph is now consistent with paragraph 015.03a.

Table of Draft Changes to 20.03.04, Lake Protection Rules (6/23/09)

015.03g	Similar size and quality	Reference changed to match other changes.
015.04	Covered Slips	
015.04c	Grandfathered Slip Covers	Terminology is slightly changed to not use the term “covered slips” in regards to these structures.
015.10	Float Homes	
015.10b.ii	Relocation requirements	Changed plumbing standard to the 2003 Uniform Plumbing Code. See Section 004.
015.10d	Construction codes	Changes plumbing and electrical standards to the 2008 National Electrical Code and the 2003 Uniform Plumbing Code. See Section 004.
015.10e	Sewer connection standards	Requirement for yearly inspection is removed. Float homes would have to be brought up to standards by January 1, 2012.
015.10e.i	Holding tank requirements	Holding tanks must have a secure lid that seals, and it must be closed during normal operations. Audible overflow alarm also required.
015.10e.ii	Grinders or pumps	Grinders or solids handling pumps shall be used to move material from the float home to the upland system.
015.10e.iii	Solids handling pumps	Minimum 2 inch interior diameter for discharge.
015.10e.iv	Pipeline to shore	Sewer pipe line to shore shall be continuous with no mechanical connections. Check valves and manual shutoff valves needed on each end. Butt fused HDPE or 200 psi black polyethylene should be used. Pipe must contain sufficient slack for water level variations. Pipe must be buried when exposed by low water, and must be securely anchored to lake bottom.
015.10e.v	Single pipe lines only	No manifolds are allowed in the lake. Each float home must have a single continuous sewer line to shore.
015.10f	Construction or remodel requirements	Construction work requires a permit application and plans stamped by an engineer if the proposed work costs 50% or more of the assessed value.
015.11	Excavated or dredged channel	
015.11b	Benefit required	Misspelling is fixed.
015.11c	Littoral ownership	Allows dredging to be considered for commercial marinas.
015.13	General Requirements	
015.13a	Square footage	More precise language is used.

Table of Draft Changes to 20.03.04, Lake Protection Rules (6/23/09)

015.13a.i	Exception for boat lifts	Shading terminology is removed
015.13a.ii	Exception for jet ski ramp, port, or lift	More precise language is used.
015.13a.iii	Boat lifts that do not infringe on neighbors	If a boat lift will not extend the littoral impact of the dock, will not extend beyond the line of navigability, and will not add to the dock square footage, then a full permitting process will not be required.
015.13a.iv	Community dock boat lifts	Clarifies that boat lifts are referred to in the second sentence.
015.14	Floating Toys	New Subsection.
015.14a	Permits generally not required	If certain conditions apply, then floating toys are not considered encroachments and will be regulated by counties and cities to address boating safety and other concerns.
015.14b	When permits are required	A floating toy becomes an encroachment, and a permit is required, if it is anchored with a device that requires equipment to remove it from the lake bed, or it is waterward of the line of navigability for more than 24 consecutive hours.
015.15	Lake Specific Encroachment Standards	
015.15a	When these standards can be implemented	Lake specific encroachment standards may be approved by Land Board if they are justified by public trust values.
015.15b	How lake specific standards interact with other standards	Lake specific standards can alter or negate other standards.
015.15c	Lake management authorities	List of authorities that may justify lake specific standards.
015.15d	Where standards can be obtained	Lake specific standards can be viewed at the IDL website.
020	Applications	
020.05	Dock Reconfiguration	Misspelling fixed.
020.05.b.ii	Rearrangement	Clarifies that increases in square footage are mostly pertinent to permits that include square footage.
020.07	Forms, Filing	
020.07e	Application Fees	Fee amounts are removed from the rules. Fees will be set by the Land Board, but are still limited by statute.
030	Processing Of Applications For All Other Types Of Encroachments	

Table of Draft Changes to 20.03.04, Lake Protection Rules (6/23/09)

030.01	Nonnavigational, Community, and Commercial Navigational Encroachments	Wording is changed to clarify when notices need to be sent out.
035	Temporary Permits	
035.04	Fee	Land Board will set fees.
060	Installation	
060.04	Sunset Clause	Amended to allow an initial sunset clause in excess of three years if needed.
065	Assignments	
065.02	Assignment Fee	Land Board will set fees.